**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929**

**WP(C).No. 7047 of 2007(L)**

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**PETITIONER:**

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**MONY M.,**
**(MECHANIC, KSRTC, VIKAS BHAVAN, RTD. ON 31.5.02),**
**AGED 59 YEARS, S/O. MADASWAMY, T.C.20/1799,**
**AMBEDKAR NAGAR, THAMALAM, POOJAPPURA P.O.,**
**THIRUVANANTHAPURAM.**

**BY ADV. SRI.K.P.RAJEEVAN**
**SMT.K.K.SHEEBA**

**RESPONDENTS:**

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**1. KERALA STATE ROAD TRANSPORT CORPORATION,**
**REPRESENTED BY ITS MANAGING DIRECTOR,**
**TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

**2. DISTRICT TRANSPORT OFFICER,**
**VIKAS BHAVAN DEPOT., THIRUVANANTHAPURAM.**

**3. KERALA STATE FINANCIAL ENTERPRISES,**
**REP. BY ITS MANAGER, NEYYATTINKARA II BRANCH,**
**S.N.D.P. UNION BUILDING, NEYYATTINKARA,**
**THIRUVANANTHAPURAM.**

**4. SPECIAL DEPUTY TAHSILDAR (R.R.),**
**THE K.S.F.E. LTD., REGIONAL OFFICE,**
**STATUE, THIRUVANANTHAPURAM.**

**5. KERALA STATE TRANSPORT WORKERS' CO-OPERATIVE SOCIETY LTD., T.133, REPRESENTED BY ITS SECRETARY, THAMPANOOR, THIRUVANANTHAPURAM.**

**R1 & R2 BY ADV. SHRI JOHNSON P. JOHN, SC, KSRTC.**

**R5 BY ADV. SRI.N.UNNIKRISHNAN,SC KSTW CO.OP SOCIET**

**R3 BY SRI.ASOK M.CHERIYAN, SC, K.S.F.E. LTD.**

**R4 BY SR. GOVERNMENT PLEADER (SHRI K. J. MOHAMMED ANZAR)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 7047 OF 2007 L**

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**Dated this the 17th July, 2007**

**JUDGMENT**

Petitioner has retired from the respondent Corporation while he was working as a Mechanic, on 31.5.2002. He had availed loans from respondents 3 and 5. According to petitioner, he had repaid the entire amount by way of deduction from the salary effected by the KSRTC. But, it is the case of respondents 3 and 5 that the amounts were not paid in time. Learned standing counsel appearing on behalf of the first respondent Corporation submits that it is true that the amounts were deducted from the salary of the petitioner, but there was delay on the part of the first respondent in remitting the same to respondents 3 and 5. Standing counsel submits that the first respondent will settle the claims of respondents 3 and 5 arising out of the delayed remittance. To enable the first respondent to make the payments, he submits that respondents 3 and 5 may be directed to furnish Statements to the first respondent showing

the amount payable. Accordingly, the Writ Petition is disposed of as follows:

There will be a direction to respondents 3 and 5 to furnish Statements to the first respondent showing the amounts paid on behalf of the petitioner and the amounts remaining to be paid for the delayed payments. I record the submission of the first respondent that upon receipt of the Statement as aforesaid, the first respondent will settle their claims. Regarding the release of the share amount, that is a matter which has to await the full settlement of the claims and that is a matter which can be taken up only after the settlement of the claims. Any amount recovered in excess from the petitioner will be disbursed to the petitioner by the first respondent, obviously after settlement of the entire claims.

**K. M. JOSEPH, JUDGE**

**kbk.**